

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

United States of America,)	
)	
Plaintiff,)	
)	Case No. 3:00-cr-75-7
vs.)	
)	
Delmar Paul Enzi,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

On December 19, 2008, the supervising probation officer filed a petition alleging a violation of supervised release (doc. #31). A hearing on the petition was held before the Honorable Karen K. Klein, Magistrate Judge, on January 8, 2008 (doc. #350). At the hearing, Enzi admitted to the violations charged in the petition.

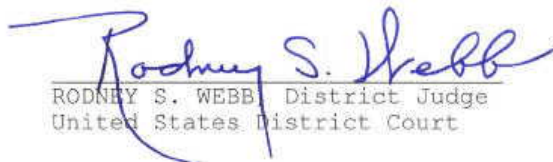
Before the Court is a Report and Recommendation from the Magistrate Judge, recommending this Court find the Defendant violated conditions of his supervised release (doc. #351). The Magistrate Judge further recommends that supervised released be revoked and that Enzi be ordered to serve three months in custody with time served since December 23, 2008. Each party waived their right to object to the Report and Recommendation. Upon review of these items and the entire file, the Court finds the Magistrate Judge's Recommendations correct and hereby adopts the

Report and Recommendation. The Court thus **FINDS** that a violation of supervised release has occurred as alleged in the petition.

Based upon the Magistrate Judge's Recommendations, **IT IS ORDERED** that the Defendant's supervised release is revoked and that the Defendant be incarcerated for a term of three (3) months, with credit for time served since December 23, 2008. At the completion of this term of incarceration, a term of supervised release is ordered until December 6, 2009, which is the completion of the original supervised release period. Additionally, as a special condition of supervision, the defendant is required to reside at Centre, Inc., in Bismarck, North Dakota, for a term of six (6) months following his incarceration. The defendant is also ordered to complete an updated chemical dependency evaluation and follow through with any recommended treatment.

IT IS SO ORDERED.

Dated this 15th day of January, 2009.


RODNEY S. WEBB, District Judge
United States District Court